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EXAMINER

PHAM, HUNG Q

ART UNIT PAPER NUMBER

2162

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/401,251

Applicant(s)

KEENE ET AL.

Examiner

HUNG Q PHAM

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/23/2004 from Board Of Patent Appeals.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The Board Of Patent Appeals and Interferences remanded the application to the examiner for consideration of new ground of rejections under 35 U.S.C. § 112, first paragraph, second paragraph, and 35 U.S.C. § 102 and § 103 with respect to claims 1-16 on 12/23/2004.

In view of the Appeal Brief filed on 04/22/2003, PROSECUTION IS HEREBY REOPENED. The rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Independent claims 1, 7, and 13-16, and their dependent claims recite or depend from claims that recite, *a version of an object* or *a version of the object*, and specific features of that version, which were not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification describes the attributes and features of a version of an object in the specification at page 20, lines 9-18. This description shows that the version includes "modification privileges" as claimed in claims 3-5. However, this description in no way indicates that the version includes access privileges or access criteria associated with the version.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 14 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Regarding claim 1, the preamble, *a system for providing the transfer of and the controlled access... and other associated information a file*, does not make grammatical sense. The claimed limitations that begin *that was set up to be sent...* and *that may be viewed...* Each references some other item in the claim. It is unclear what item is being referenced. The clause *on the user computer system* is disconnected from whatever is being referenced by this feature.

- Claim 14 recites the limitation *the object stored in the file* in the claimed language: *a version of the object stored in the file*. There is insufficient antecedent basis for this limitation in the claim. The clause *receiving a object request by a requestor* does not make grammatical sense, and it should be *receiving a[n] object request[ed] by a requestor*.

- Regarding claim 16, the claimed limitations,
receiving a object request by a user...
setting up a version of an object and associated documents according to user access privileges for transmission to the user; and
transmitting a version of the request object that was set up...in the form of a document file that includes a version of the requested object...
do not make grammatical sense, and make the claim indefinite. The claimed limitations that begin *that may be set up and sent to the privileged user* references some other item in the claim. It is unclear what item is being referenced.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6-12 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Mukherjee et al. [USP 5,317,729].

Regarding claims 1 and 7, Mukherjee teaches a system and method for providing the transfer and controlled access to a version of an object and associated information.

- As illustrated at FIG. 2, the system includes *a database* (relational database 40) *for storing an object* (e.g., bill of material related data object 24) *and associated information* (e.g., engineer change notice 12, master item 14, engineering change affected item 16), *the BILL OF MATERIAL as object comprising* a plurality of row as shown in FIG. 4 as *distinguishable groups of data* (FIG. 4), *each group of data* in a row *having view ID as associated access criteria for access to the groups of data* (Col. 6, Lines 32-36 and Col. 8, Line 61-Col. 9, Line 3).
- As illustrated at FIG. 1, the version control system 10 as *an application server configured to control access to data stored in the database* (Col. 4, Lines 12-25) *and to set up and send a document file having a representation of an object* (FIG. 11, BILL OF

MATERIAL of ITEM_12345) *and associated documents that are stored in the database* (FIG. 11, ENGINEERING CHANGE NOTICE, Col. 9, Line 21-Col. 10, Lines 37).

- Mukherjee further discloses a version control computer program 20 as *software code for controlling the storage and retrieval operation of system 10 as the application server* at Col. 4, Lines 12-25. A *memory for storing* the version control computer program 20 as *software code* is implied by saying the version control computer program 20 operates on computer processor (Col. 4, Lines 14-16).
- As illustrated at FIG. 3, DATA ACCESS AUTHORIZATION TABLE provides security level encoded from 1 to 5 (Col. 5, Line 55-Col. 6, Line 12) as *access data application code executable by version control logic 20 as application server* (Col. 5, Lines 51-54), *the application code being responsive to the access criteria* (view ID) *associated with the groups of data* (Col. 6, Lines 13-22) *contained within a release BOM, accept BOM or closed BOM as illustrated at FIG. 11 as version of an object and to predetermined privileges for allowing controlled access to individual group of data contained within the version of the object* (FIG. 3 illustrates predetermined privileges for each group of users for version object accessing, for example: design engineer can access to version pre-release, released, accepted...) *by an individual user that was set up to be sent to a user computer system and that may be viewed by a user according to the user's predetermined privileges on the user computer system* (Col. 9, Line 21-Col. 10, Line 37).

Regarding claim 2, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 1, Mukherjee further discloses *the access data application code enables the ability of a user to read the contents of the transferred version of the requested object that was sent by the application server according to access privileges associated with the user* (Col. 8, Line 61-Col. 9, Line 21).

Regarding claim 6, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 1, Mukherjee further discloses the claimed *the access to the version of the object is determined by a business relationship to produce products and defined by the host according to the need of information in the product chain, and wherein the transferred version of the object is configured to reveal limited information according to a guest user's predetermined access privileges* (FIG. 3).

Regarding claim 8, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 7, Mukherjee further discloses the step of *receiving an object request by a requestor; verifying the requestor's user privilege access criteria; and transmitting a version of an object configured to reveal information contained within the version of the object according to the requestor's user privilege access criteria* (FIG. 11, Col. 5, Line 55-Col. 6, Line 22).

Regarding claim 9, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 7, Mukherjee further discloses the step of

establishing a version of an object includes loading information into the version of the object into separate groups having separate access privilege criteria (FIG. 4).

Regarding claim 10, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 7, Mukherjee further discloses the step of *establishing privilege access criteria includes identifying the separate groups of information to which the user may access for use in setting up a version of the object to be sent to the user in response to the user request (FIG. 3 and 11).*

Regarding claim 11, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 7, Mukherjee further discloses the step of *verifying the requestor's user privilege access criteria includes extracting the requestor's user identification from the object request, verifying the requestor's user identification and identifying the groups of data within the version of the object to which the requestor has access (Col. 5, Line 55-Col. 6, Line 22).*

Regarding claim 12, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 7, Mukherjee further discloses the step of *transmitting a redacted version of an object by sending an electronic object to the requestor that contains the groups of information to which the requestor has access to and that excludes groups of information associated with an object to which the requestor does not have access (Col. 8, Line 61-Col. 9, Line 20).*

Regarding claim 16, Mukherjee teaches a system and method for providing the transfer and controlled access to a version of an object and associated information.

- As illustrated at FIG. 3, security level from 1-5 as *privilege access criteria of a pre-release BOM, release BOM, or accepted BOM as version of the object is established* in DATA ACCESS AUTHORIZATION TABLE; and security level from 1-5 as *privilege access criteria define the scope of access permitted to a user* such as Design Engineering, Manufacturing Engineering... *a version of an object that may be set up and sent to the privileges user* via a user interface as in FIG. 11.
- Referring back to FIG. 11, via a user interface, a BOM as *an object requested by a user via a network for access to a version* such as release, accept, or closed of a BOM as *an object to which the user has access privileges* with respect to FIG. 3 is *received*.
- Mukherjee at Col. 5, Line 55-Col. 6, Line 22, discloses the step of *verifying the requestor's security level as user privilege access criteria*.
- Referring back to FIG. 11, *a version* such as release, accept, or closed of a BOM as *an object and associated documents* such as engineering change notices *according to* security level with respect to FIG. 3 as *user access privileges* is *set up* via a user interface *for transmission to the user*.
- Mukherjee further teaches the step of *transmitting a selected version of a requested BOM* such as release, accept or closed using retrieval option number as *version of the requested object* (Col. 12, Lines 36-38). The requested object *that was set up according the requestor's user privilege access criteria* as discussed above.

The transmitted release, accept or closed BOM is defined by a particular view correspond to view ID (Col. 8, Line 61-Col. 9, Line 3) as *a document file that includes the version of the requested object, a version of associated documents* such as Engineering Change Notice also is *transmitted* by using the retrieval option as illustrated at FIG. 11.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukherjee et al. [USP 5,317,729] in view of Thorsen [USP 6,052,688].

Regarding claim 13, Mukherjee teaches a system and method for providing the transfer and controlled access to a version of an object and associated information.

- As illustrated at FIG. 2, Bill Of Material related data *object 24* is *established in relational database 40 as a storage location*.
- As illustrated at FIG. 3, DATA ACCESS AUTHORIZATION TABLE as *computer readable code means for establishing privilege access criteria that define the scope of access of a pre-release BOM, release BOM, or accepted BOM as version of the object for a user* such as Design Engineering, Manufacturing Engineering...
- A user interface as illustrated at FIG. 11 is *computer readable code means for receiving an object request by a requestor*.
- DATA ACCESS AUTHORIZATION TABLE as illustrated at FIG. 3 is also *computer readable code means for verifying the requestor's user privilege access criteria* (Col. 5, Line 55-Col. 6, Line 22).
- Mukherjee further discloses *computer readable code means for transmitting a version of the requested object* (Col. 12, Lines 36-38) *in the form of a redacted document that masks information according to the requestor's user privilege access criteria* (the retrieval BOM is a written document, and selected at a particular security level includes information corresponding to a particular group as discussed with respect to FIG. 3 indicates the form of a redacted document that masks information according to privileges access criteria, Col. 8, Line 61-Col. 9, Line 20).

Mukherjee does not explicitly teach *computer readable code means for identifying a user to have limited access to information associated with the object*.

- Thorsen teaches *computer readable code means for identifying a user to have limited access to information associated with the object* (Thorsen, FIG. 7, Col. 11, Lines 34-60).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the step of identifying a user in order to control access to a version object.

Regarding claim 14, Mukherjee teaches a system and method for providing the transfer and controlled access to a version of an object and associated information.

- As illustrated at FIG. 1, RELATIONAL DATABASE 40 is *a computer program storage device readable by processor 30 as a digital processing apparatus*.
- As illustrated at FIG. 2, Bill Of Material related data *object 24 is established in a storage location* of relational database 40.
- As illustrated at FIG. 3, security level from 1-5 as *privilege access criteria that define the scope of access of a pre-release BOM, release BOM, or accepted BOM as version of the object for a user* such as Design Engineering, Manufacturing Engineering... is *established* in DATA ACCESS AUTHORIZATION TABLE;
- *an object requested by a requestor is received* via a user interface as illustrated at FIG. 11.

- Mukherjee further discloses the step of *verifying the requestor's* security level as *user privilege access criteria* (Col. 5, Line 55-Col. 6, Line 22); and *transmitting a* selected version of a requested BOM such as release, accept or closed using retrieval option number as *redacted version of the requested object* (Col. 12, Lines 36-38) *in the form of a document file containing the version of the request object that was filtered according to the requestor's user privilege access criteria* (the retrieval BOM is a written document, the selected version such as release, accept or closed for a particular BOM corresponding to object name and filtered by the retrieval option at a particular security level includes information corresponding to a particular group as discussed with respect to FIG. 3 , Col. 5, Line 55-Col. 6, Line 12).

Mukherjee does not explicitly teach the claimed *identifying a user to have access to the object*.

- Thorsen teaches the technique of *identifying a user to have access to the object* (Thorsen, FIG. 7, Col. 11, Lines 34-60).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the step of identifying a user in order to control access to a version object.

Regarding claim 15, Mukherjee teaches a system and method for providing the transfer and controlled access to a version of an object and associated information.

- As illustrated at FIG. 2, Bill Of Material related data *object 24* is *established in a storage location* of relational database 40.

- As illustrated at FIG. 3, security level from 1-5 as *privilege access criteria that define the scope of access of a pre-release BOM, release BOM, or accepted BOM as version of the object for a user* such as Design Engineering, Manufacturing Engineering... is *established* in DATA ACCESS AUTHORIZATION TABLE; and
- *an object requested by a requestor is received* via a user interface as illustrated at FIG. 11.
- Mukherjee at Col. 5, Line 55-Col. 6, Line 22, discloses the step of *verifying the requestor's* security level as *user privilege access criteria*.
- Referring back to FIG. 11, *a version* such as release, accept, or closed *of a BOM as an object and associated documents* such as engineering change notices *according to* security level with respect to FIG. 3 as *user access privileges* is *set up* via a user interface *for transmission to the user*.
- Mukherjee further teaches the step of *transmitting a* selected version of a requested BOM such as release, accept or closed using retrieval option number as *redacted version of the requested object* (Col. 12, Lines 36-38). The redacted version of the requested object was *set up according to the* security level as *requestor's user privilege access criteria* as discussed above with respect to FIG. 3, *the security level as access criteria defines the information in which a user has privileges of access to the version* such as release, accept, or closed *of the requested BOM as object* as illustrated at FIG. 10, Col. 8, Line 61-Col. 9, Line 3.

Mukherjee does not explicitly teach the claimed *identifying a user to have limited access to the object*.

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- Thorsen teaches the technique of *identifying a user to have limited access to the object* (Thorsen, FIG. 7, Col. 11, Lines 34-60).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the step of identifying a user in order to control access to a version object.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukherjee et al. [USP 5,317,729] in view of Koko et al. [USP 5,434,791].

Regarding claim 3, Mukherjee teaches all of the claimed subject matter as discussed above with respect to claim 2, but does not explicitly teach *the access data application code includes the ability to modify the contents of the version of the requested object*. Koko teaches a user interface for displaying a BOM and *the ability to modify the contents of the version of the requested object* (Koko, Col. 28, Lines 5-10). It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the ability to modify the contents of a retrieved BOM in order to correct information is a version of a Bill of Material.

Regarding claim 4, Mukherjee and Koko, in combination, teach all of the claimed subject matter as discussed above with respect to claim 3, Koko further discloses *the ability to modify includes the ability to delete information contained in the version of the requested object* (Koko, Col. 28, Lines 5-10).

Regarding claim 5, Mukherjee and Koko, in combination, teach all of the claimed subject matter as discussed above with respect to claim 3, Koko further discloses *the ability to modify includes the ability to add data to the version of the requested object* (Koko, Col. 28, Lines 5-10).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

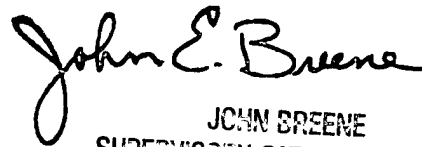
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Hung Pham
February 8, 2005


SHAHID ALAM
PRIMARY EXAMINER


JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100